

DAC

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Leontaridis, Athanasios

Appl. No.

10/018,998

Filed

12/26/2001

Title

LOCK ASSEMBLY FOR SLIDING DOOR/WINDOW

Grp./A.U.

April Wise

Docket No.

LEONAPP

RECEIVED

NOV 17 2008

Mail Stop Petition

Petition Examiner

Alexandria, VA 22313-1450

Customer No.: 000293

OFFICE OF PETITIONS

RESPONSE TO DENIED RENEWED PETITION UNDER 37 CFR 1.137(b) FOR UNINTENTIONAL ABANDONMENT

In response to the dismissed renewed petition mailed September 11, 2008 and regarding the Unintentional Abandonment Petition filed on June 11, 2007, for the above referenced application.

Remarks begin on page 2.

Remarks

The Examiner has again dismissed the petition filed on June 11, 2007 stating that the Response to the Dismissed Petition filed on April 15, 2008 lacked "...a statement that the entire delay in filing the required reply from the due date for reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional...." Specifically, the Examiner has requested information on when the applicant first became aware of the abandoned status of the application.

The following remarks are meant to clearly point out the steps taken to further the prosecution of this application.

It is respectfully stated that the **entire** delay in filing the required reply and subsequent petition for revival were unintentional. In support of this statement the following is respectfully submitted:

- 1) On February 4, 2004 the correspondence address for the present application was to Athanasios Leontaridis, Dipl. Ing. V. Mantzikas located at 68 Solonos Street, 106 80 Athanas, GREECE. This is the address submitted on the signed declaration and remains the address listed with the US Patent Office.
- 2) Mr. Athanasios Leontaridis maintains that the Notice of Allowance was not received at the above listed address and therefore was not acted on. Prior communications with the US Patent Office were timely responded to specifically the communication mailed on July 28, 2003 which was responded to on October 27, 2003. The Notice of Allowance was issued a shortly

after the last response was filed, therefore the Notice of Abandonment was quite unexpected. However, upon receiving the Notice of Abandonment, which was mailed on March 25, 2004 and received in Greece in April of 2004 the local postal service for the address listed was contacted to determine if the Notice of Allowance was incorrectly delivered. Additionally, the US Patent Office was contacted to try to remedy the situation. A copy of an email outlining the above by Mr. Mantzikas, working on behalf of Mr. Athanasios Leontaridis, is included with this submission as **Exhibit A**. When the efforts of Mr. Athanasios Leontaridis and his representatives in Greece failed, the office of Dowell & Dowell, P.C. was contacted to attempt to further the prosecution of the application.

- 3) The request by Mr. Athanasios Leontaridis' representative was made in the Summer of 2004. The applicant's foreign representative indicated that the application was believed to be in condition for allowance, however Mr. Athanasios Leontaridis' Greek representative had no record of having received a Notice of Allowance. Also attempts to gain information on the application from the US Patent Office were unsuccessful.
- 4) Based on our communication with the Greek representative of Mr. Athanasios Leontaridis, we forwarded a letter outlining the necessary steps to revive the application. In an attempt to speed the process and belief that a status would be obtained in a short time, the undersigned agent's office requested that the applicant provide a signed Petition for Unintentional Abandonment. The form was not filed until a status on the application could be obtained. A copy of the letter as forwarded to Greece in August of 2004 is included as **Exhibit B**.

5) The law office of Dowell & Dowell, P.C., during the months that followed made numerous attempts to determine the status of the application by contacting Group Art Unit 3600 of the US Patent Office. On each call the application was listed as lost, therefore no information was able to be obtained. On December 28, 2005 a Power of Attorney to Inspect, Make Copies and Sign Documents was filed at the general window of the US Patent Office in an attempt to force the US Patent Office to locate the file. A copy of the power indicating both Ralph A. Dowell (26,868) and Wendy M. Slade (53,604) were given the power to inspect and sign documents on behalf of applicant. A copy of the power is included as Exhibit C. There was no indication that the Power was ever placed in the file.

- 6) This matter was assigned for continual monitoring to a long time employee of the undersigned agent's office, it was requested that a status on the location of the application be regularly requested in an attempt to determine what was required to further process this application. The above-mentioned employee, who retired in May 2007, made numerous attempts to determine the status of this application so that action could be taken. On specific note is a telephone call January 12, 2006 with Examiner Gall regarding the status of the application. Examiner Gall explained that he did not have the case. Also of note is a telephone conversation with B. Gleeson on April 10, 2006 in which the stated location for PALM was listed as 9200 (lost).
- 7) In June of 2007 upon the retirement of the above referenced employee, the undersigned agent was given the

application on which to determine a status. Kenya McLaughlin, Office of Petitions, was contacted and indicated that a Notice of Allowance was issued for the application and in addition to the Issue and Publication fees corrected drawings were required. On June 11, 2007 a petition for unintentional abandonment was filed. The petition included the Issue and Publication fees as well as corrected drawings. Also included with the petition was a Power of Attorney to Inspect, Make Copies and Sign Documents as previously submitted. This power signed by the applicant gave the power to sign the Issue fee transmittal as well as any documents required for the Petition to Revive. A complete copy of the filing is included as **Exhibit D**.

Based on the above information it is respectfully stated that this application was not intentionally abandoned at anytime during the pendency of the application. It is submitted that the **entire** delay in request for revival was unintentional and due impart to a failure of the US Patent Office to locate the application in a timely fashion. It is respectfully requested that revival of this application be granted.

If the Examiner in charge of the application requires additional information, it would be greatly appreciated if the undersigned agent of record was contacted at the telephone number listed below.

Respectfully submitted,

DOWELL & DOWELL, P. C.

Wendy M. Slade, Reg. No.: 53,604

DOWELL & DOWELL, P. C.

Date: November 12, 2008 Suite 406, 2111 Eisenhower Avenue

Alexandria, VA 22314

Telephone: (703) 415-2555

US Patent Application 10/018,998

Leontaridis, A.

Exhibit A

Wendy Slade

From:

Mantzikas [vmantzikas@tee.gr]

Sent:

Monday, November 10, 2008 2:31 PM

To: Wendy Slade

Subject:

RE: PN Application 10018998 Dkt 15832

Importance:

High

Dear Ms Slade,

Thank you for your e-mail below. As you know from our previous correspondence on this matter the mail to the applicant from the USPTO was received in our office address right from the beginning of filing of the US application. We have therefore received the Notice of Abandonment mailed on 03/25/2004 and informed the applicant accordingly in April 2004. The Notice of Abandonment set out three alternatives for responding in an attachment sheet as enlisted in the sheet in the accompanying file. Our first action has been to try to explore possibilities of responding through each one of the first two alternatives where no fee was required, since the wish of the client was not to pay any fee because the Notice of Allowance was never received. We had no lack in our effort to find out through telephone to the USPTO of a mode of response. At the same time we asked the Post Office of our neighbourhood to inform us if the mail containing the Notice of Allowance had been received and possibly wrongly directed. They told us that it would normally take 3 months for letting us have a response. At the end of three months (end of July 2004) having had no positive response as to misplaced or wrongly directed mail in relation to the Notice of allowance, we conducted the client and were led to contacting your office for assistance in revival of the application. It is hereby noted that the applicant has previously during prosecution of the application timely responded to The USPTO Office communications of January 23, 2003 (on March 18, 2003 and on May 15, 2003), then to the office communication of July 28, 2003 (on October 27, 2003). The Notice of Allowance issued only a few days after applicant's last response and the applicant'did not know. Please let us know if you need any further information on our side to have this application revived. Yours very truly

Vasilis Mantzikas

----Original Message----

From: Wendy Slade [mailto:wslade@dowellpc.com] Sent: Wednesday, October 22, 2008 7:48 PM

To: Mantzikas

Subject: RE: PN Application 10018998 Dkt 15832

Dear Sirs.

After careful review of the dismissal, we ask your office to forward copies of any relevant correspondence from the applicant to your office so we may determine when the applicant became aware of the abandonment and provide those documents to the US Patent Office. Please feel free to send scanned copies of the correspondence via email. We will provide the office with copies of the correspondence between ourselves and your office regarding the abandonment. We will explain with the additional correspondence that a great deal of the confusion regarding abandonment was due to the lost of the application by the US Patent Office.

We look forward to receiving your instructions and copies of the correspondence by the due date of **November 11, 2008.** Should you have any additional questions please feel free to contact our office.

Sincerely, Wendy Slade

DOWELL & DOWELL, P.C. 2111 Eisenhower Avenue Suite 406

US Patent Application 10/018,998

Leontaridis, A.

Exhibit B

LAW OFFICES

DOWELL & DOWELL, P.C.

PATENT AND TRADEMARK CAUSES

SUITE 300

1215 JEFFERSON DAVIS HWY ARLINGTON, VA 22202 3124 TELEPHONE (703) 415-2555
PAGEIMILE (703) 415-2559
E-MAIL: dowall@dowellpc.com

RALPH A. DOWELL
WENDY M. SLADE
REGISTERED PATENT AGENT

A YATES DOWELL. III

August 4, 2004

7 page(s) sent via facsimile

Dipl. Ing. V. Mantizikas 68 Solonos Street 106 80 Athens Greece

Re: Abandoned Patent Application

Serial No.: 10/018,998 Filed: December 26,2001 LOCK ASSEMBLY FOR SLIDING DOOR/WINDOW PANELS

Athanasios LEONTARIDIS

Dear Dipl. Mantizikas:

We are forwarding herewith a Power of Attorney which must be executed by your client. Once it has been executed, please return it to us by facsimile so that we may file it in the US Patent Office. We, will then review the file history of this application and obtain a copy of the Notice of Allowance.

In order to accelerate this matter, as you requested, and since it is very similar to Mr. Savoulidou, we have prepared and also enclose the required petition which <u>must</u> be executed by Mr. Leontaridis. We can not execute this document on his behalf, as we can not attest to the details with respect to this application. In addition, each application is handled individually, therefore, we can not obtain a General Power of Attorney nor can we use documents from Mr. Leontaridis' previous case.

We are moving forward under the assumption that the only option is to file the required papers to revive the application based on "unintentional" abandonment as was done in Mr. Savoulidou's case.

Therefore, we are forwarding with this correspondence the required document to be read and approved and, if accurate and appropriate, executed by Mr. Leontaridis. The document should be executed and forwarded back to us as soon as possible along with the required government fees and the fees listed on the attached advance invoice. We will file the executed document when it is received as long as the required fees are also received. The

required government fee of \$665.00 for unintentional abandon and the government issue and publication fees of \$965.00 will be required. Therefore, we would need to receive a check for US\$2,316.00 with the signed documents in order to submit them to the US Patent Office. This amount includes our legal fees and disbursement fees as outlined on the enclosed advance invoice.

The issue fee transmittal will also need to be executed by Mr. Leontaridis in the appropriate place and returned for payment of the issue and publication fees. We will forward this for his signature as soon as we obtain it from the US Patent Office.

Please note that we recommend this be completed as soon as possible since you have a legal obligation to timely request revival of a case once you become aware that it has become abandoned. The abandonment notice is dated March 25, 2004. Therefore, since it has been over four months since the application was abandoned, action should not be delayed any longer than possible.

If you have any questions, please do not hesitate to contact our office.

We are also enclosing our advance invoice with respect to this matter which includes cost for us to place the patent, once it issues, on our maintenance fee docket for follow-up prior to due dates of maintenance fees. This will require that all Patent Office communications be sent directly to us. Therefore, this is the reasons we are forwarding a Power of Attorney for review and signature.

very sincergity yours

DOWELL & DOWELL, P. C

Rainh A Dowell

RAD:pga Enclosures:

Involce No.: 602977-2

Power to Inapect, Faill low to Ravivo Uniarontionally Abandoned Parent Application

US Patent Application 10/018,998

Leontaridis, A.

Exhibit C

NOV 1 2 2008 &

THOTHE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application

Athanasios LEONTARIDIS

Serial No.: 10/018,998

Filed: 12/26/2001

For: LOCK ASSEMBLY FOR SLIDING

DOOR/WINDOW PANELS

Group Art Unit:

3676

Attn:

Examiner:

Lloyd A. Gall

Attorney Docket:

RECEIVED

NOV 17 2008

Honorable Assistant Commissioner of Patents

Alexandria, VA 22313-1450

OFFICE OF PETITIONS

Sir:

POWER OF ATTORNEY TO INSPECT, MAKE COPIES AND SIGN DOCUMENTS

Please grant Ralph A. Dowell, Registration Number 26868 and Wendy M. Slade, Registration Number 53604, both of DOWELL & DOWELL, located at Suite 406, 2111 Eisenhower Ave., Alexandria, Virginia 22314, a power to inspect and make copies including obtaining certified copies, if necessary, with respect to the above-identified application for patent and to execute, on my behalf, the Issue Fee Transmittal Form, so that the form may be submitted concurrently with a Petition to Revive the above referenced application that has been executed by me. continue to address all correspondence to the address previously of record in the United States Patent Office.

Respectfully submitted,

Dated: 15 DECEMBER 2005

Athanasios LEONTARIDIS Applicant/Inventor

US Patent Application 10/018,998

Leontaridis, A.

Exhibit D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leontaridis, A.

Appl. No.: 10/018,998 Filed: 12/26/2001

Title : LOCK ASSEMBLY FOR SLIDING DOOR/WINDOW PANELS

Grp./A.U.:

Examiner :

Docket No.: LEONAPP

FILE COPY

Mail Stop Petition Alexandria, VA 22313-1450 Customer No.: 000293

PETITION UNDER 37 CFR 1.137(b) FOR UNINTENTIONAL ABANDONMENT

A signed Petition for Revival of Unintentionally Abandonment of the above referenced application is enclosed.

It is respectfully noted that the Notice of Allowance was not received by the applicant at the address listed, therefore, we believe that the items that remain outstanding in this application include replacement drawings, payment of the Issue and Publication fees and the payment for Unintentional Abandonment. Once these items are met it is believed that the application should be in condition for issuance.

Therefore included with this petition for Revival is a copy of Replacement Formal Drawings, Payment of the Issue and Publication Fees and Power of Attorney.

The check for \$1750.00 includes the Revival for Unintentional Abandonment fee of \$750.00, Issue fee of \$700.00 and Publication fee of \$300.00.

Should this renewed petition require any additional fees other than those listed on the included check, such fees may be charged to Deposit Account No.: 05-1477.

In the event any additional information is required by the Petition's Examiner in charge of the application it would be appreciated if they would contact the undersigned agent of record at the telephone number listed below.

Respectfully submitted,

DOWELL & DOWELL, P. C.

Reg. No.: 53,604

2007

DOWELL & DOWELL, P. C. Date Suite 406, 2111 Eisenhower Avenue Date: June 11,

Alexandria, VA 22314

Telephone: (703) 415-2555

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :

Leontaridis, A.

Appl. No. :

10/018,998

Filed

12/26/2001

Title

LOCK ASSEMBLY FOR SLIDING DOOR/WINDOW PANELS

Grp./A.U.:

Examiner

Docket No.:

LEONAPP

Honorable Assistant Commissioner of Patents Alexandria, Virginia 22313-1450

Sir:

PTO CUSTOMER NO. 000293

SUBMISSION OF FORMAL DRAWINGS

It is respectfully requested that the attached 9 sheets of formal replacement drawings be reviewed and compared with the informal drawings which were originally filed with the application.

Respectfully submitted,

DOWELL & DOWELL, P.C.

lade (Reg. No.: 53,604

Date:

DOWELL & DOWELL, P.C.

Suite 406, 2111 Eisenhower Ave. Alexandria, Virginia 22314

Telephone: (703) 415-2555

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re U.S. Patent Application) Attn:

of)
Athanasios LEONTARIDIS) Group Art Unit:
) 3676
Serial No.: 10/018,998) Examiner:
Lloyd A. Gall
Filed: 12/26/2001) Attorney Docket:

For: LOCK ASSEMBLY FOR SLIDING)
DOOR/WINDOW PANELS)

Honorable Assistant Commissioner of Patents Alexandria, VA 22313-1450

Sir:

POWER OF ATTORNEY TO INSPECT, MAKE COPIES AND SIGN DOCUMENTS

Please grant Ralph A. Dowell, Registration Number 26868 and Wendy M. Slade, Registration Number 53604, both of DOWELL & DOWELL, P.C. located at Suite 406, 2111 Eisenhower Ave., Alexandria, Virginia 22314, a power to inspect and make copies including obtaining certified copies, if necessary, with respect to the above-identified application for patent and to execute, on my behalf, the Issue Fee Transmittal Form, so that the form may be submitted concurrently with a Petition to Revive the above referenced application that has been executed by me. Please continue to address all correspondence to the address previously of record in the United States Patent Office.

Respectfully submitted,

Dated: 15 DECEMBER 2005

Athanasios LEONTARIDIS
Applicant/Inventor

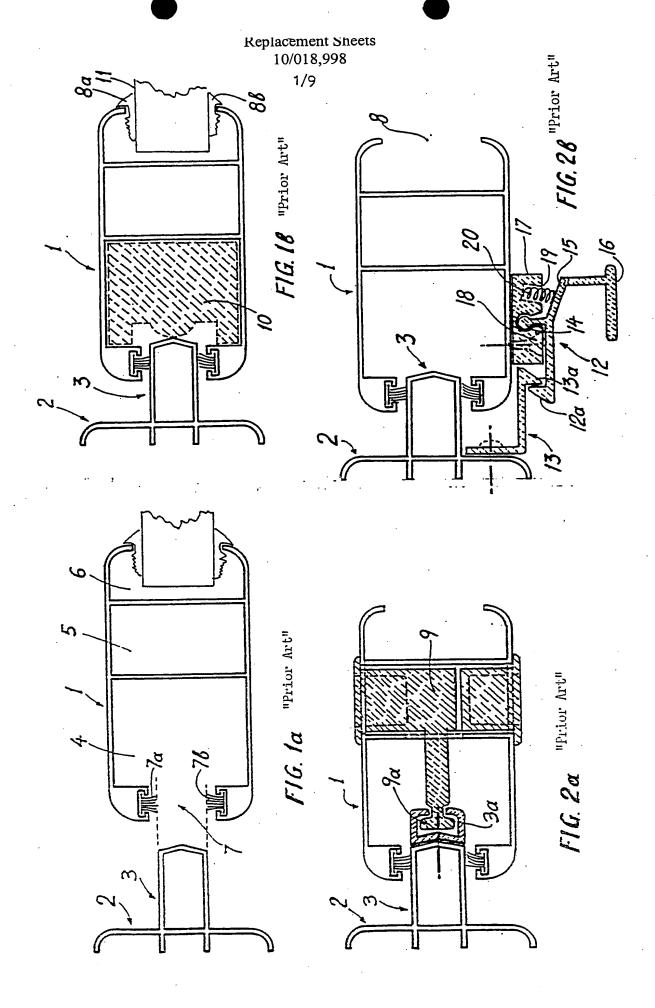
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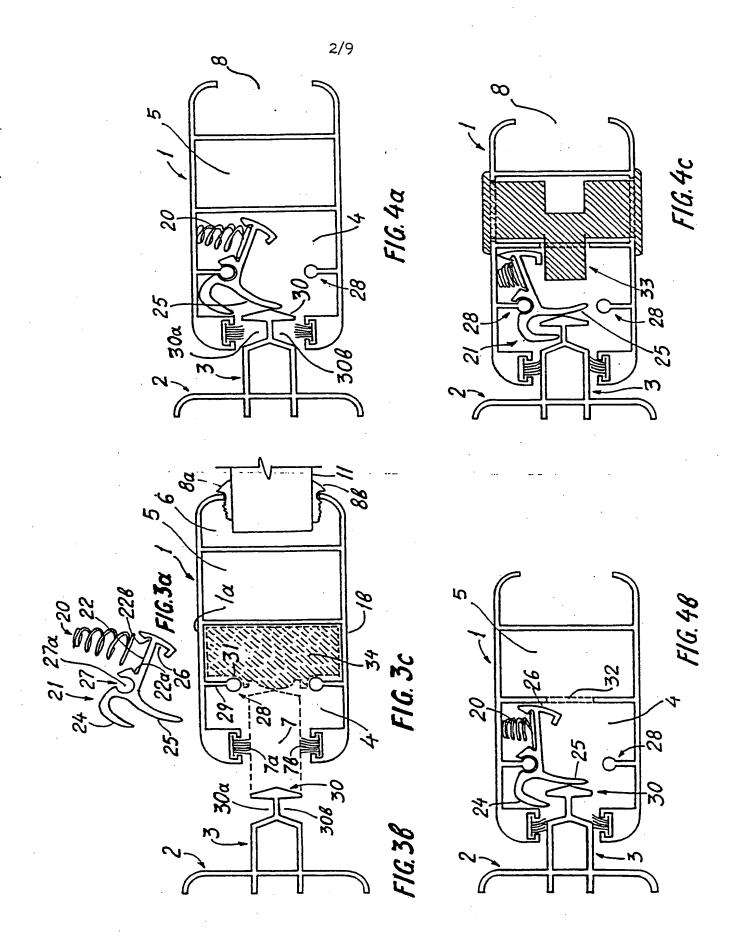
Approved for use through 07/31/2008. OMB 0851-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT Docket Number (Optional) ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) First named inventor: Athanasios LEONTARIDIS Application No.: 10/018,998 Art Unit: 3676 Filed: 12/26/2001 Examiner: Lloyd A. Gall Title. LOCK ASSEMBLY FOR SLIDING DOOR/WINDOW PANELS Attention: Office of Petitions **Mall Stop Petition** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282. The above-identified application became abandoned for fallure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items: (1) Petition fee: (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. 1.Petition fee ✓ Small entity-fee \$ 750,00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity - fee \$ _____ (37 CFR 1.17(m)) 2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of __(identify type of reply): has been filed previously on ___ is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$ 700.00 plus. Publication fee \$30 \$ has been paid previously on ____ is enclosed herewith.

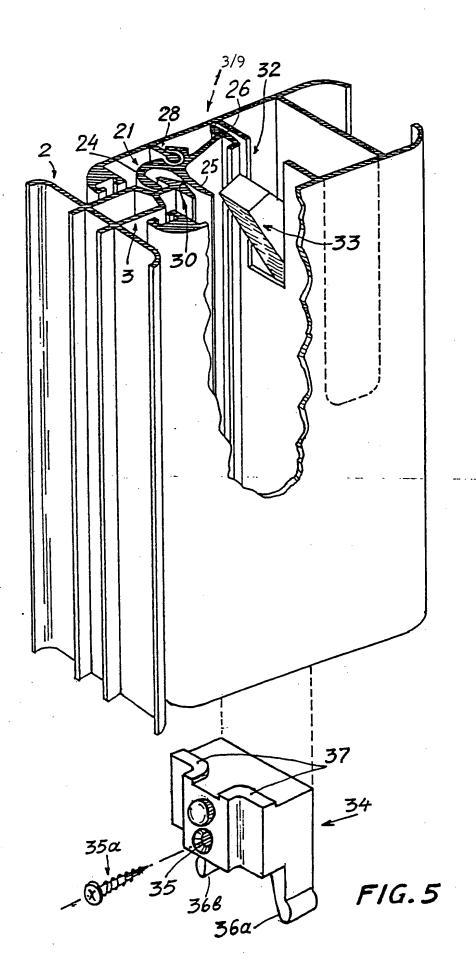
[Page 1 of 2]
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including pathering, preparing, and submitting the completed epitication form to the USPTO. Time will vary depending upon the individual case. Any U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

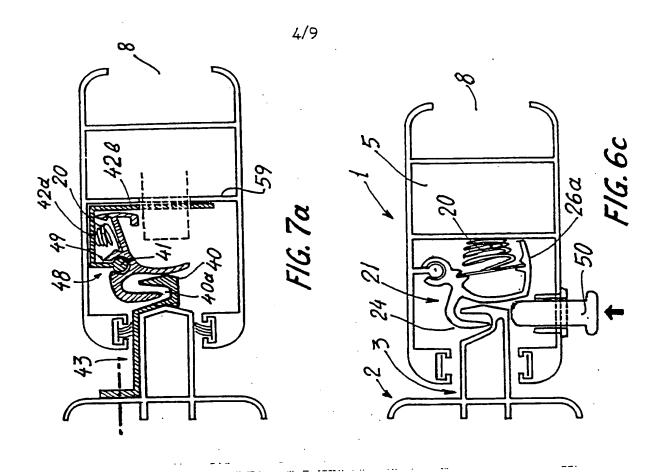
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Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

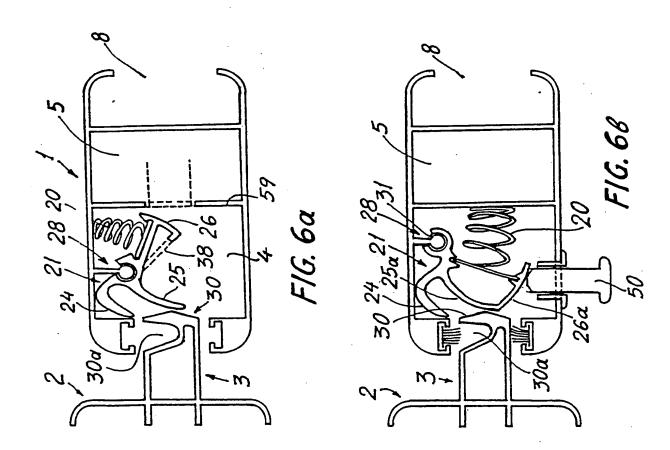
Under the Paperwork Reduction Act of 1995, no persons are requ	ired to respond to a collection of information unless it displays a valid OMB control number.
3. Terminal disclaimer with disclaimer fee	
Since this utility/plant application was filed	on or after June 8, 1995, no terminal disclaimer is required.
A terminal disclaimer (and disclaimer fee (3 for other than a small entity) disclaiming the PTO/SB/63).	37 CFR 1.20(d)) of \$ for a small entity or \$ e required period of time is enclosed herewith (see
 STATEMENT: The entire delay in filing the requifiling of a grantable petition under 37 CFR 1.137 Trademark Office may require additional information abandonment or the delay in filing a petition under subsections (III)(C) and (D)).] 	ired reply from the due date for the required reply until the (b) was unintentional. [NOTE: The United States Patent and ation if there is a question as to whether either the der 37 CFR 1.137(b) was unintentional (MPEP 711.03(c).
	WARNING:
contribute to identity theft. Personal information such numbers (other than a check or credit card authorization the USPTO to support a petition or an application. If this USPTO, petitioners/applicants should consider redacting to the USPTO. Petitioner/applicant is advised that the rof the application (unless a non-publication request in coof a patent. Furthermore, the record from an abandon referenced in a published application or an issued patent.	rsonal information in documents filed in a patent application that may a social security numbers, bank account numbers, or credit card form PTO-2038 submitted for payment purposes) is never required by type of personal information is included in documents submitted to the such personal information from the documents before submitting them record of a patent application is available to the public after publication ompliance with 37 CFR 1.213(a) is made in the application) or issuance led application may also be available to the public if the application is at (see 37 CFR 1.14). Checks and credit card authorization forms PTO-in the application file and therefore are not publicly available.
~ Mune)	→ 15 DECEMBER 2005
Signature	Date
Athanasios LEONTARIDIS	
Typed or printed name	Registration Number, if applicable
Vosporou 61	•
Address	Telephone Number
490	
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Date	Signature
	Typed or printed name of person signing certificate

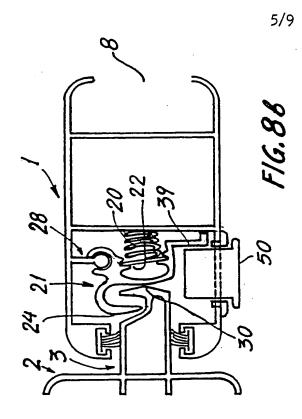


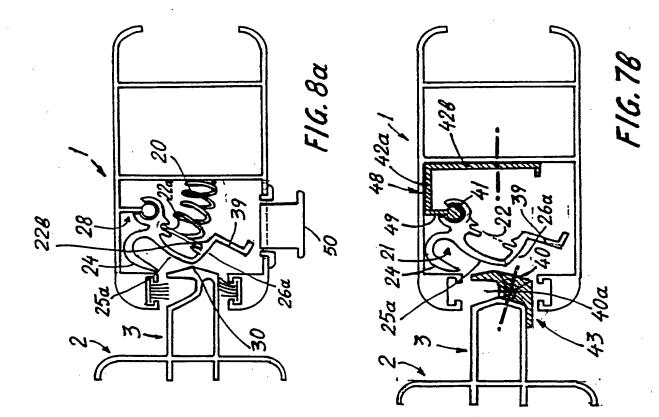


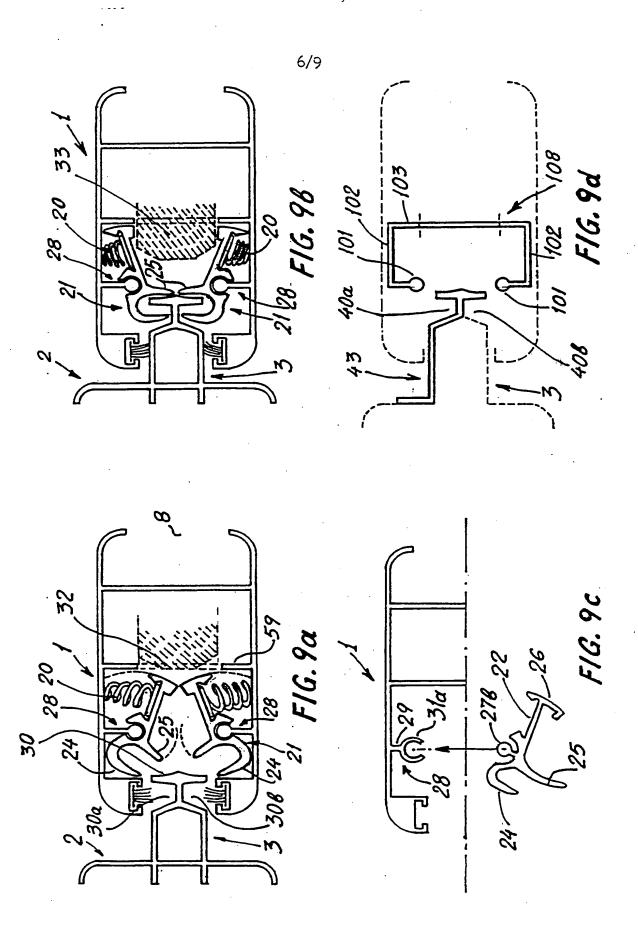




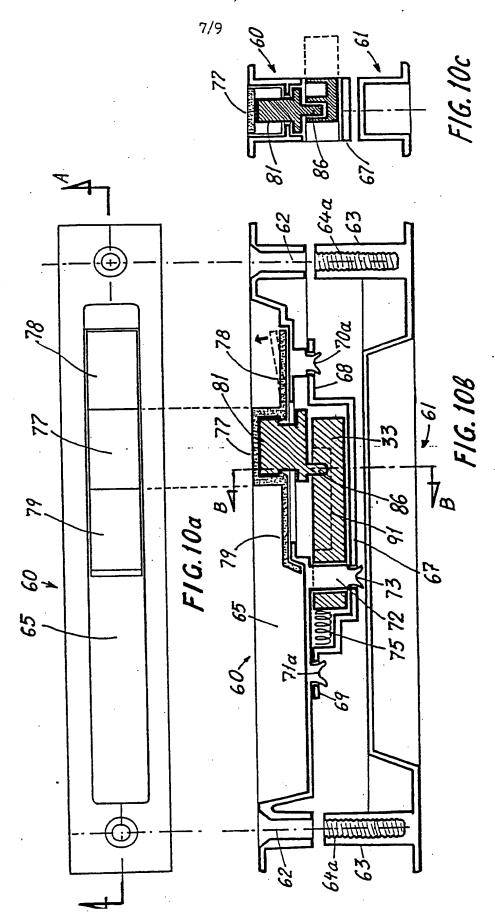


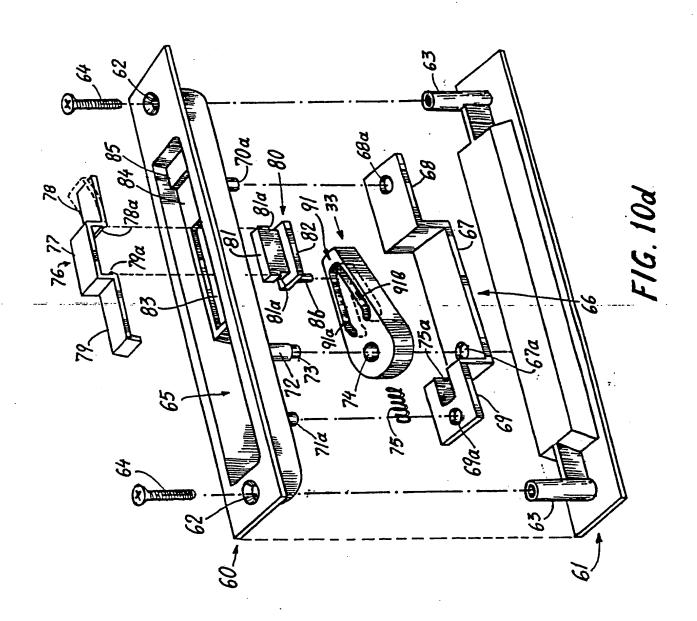


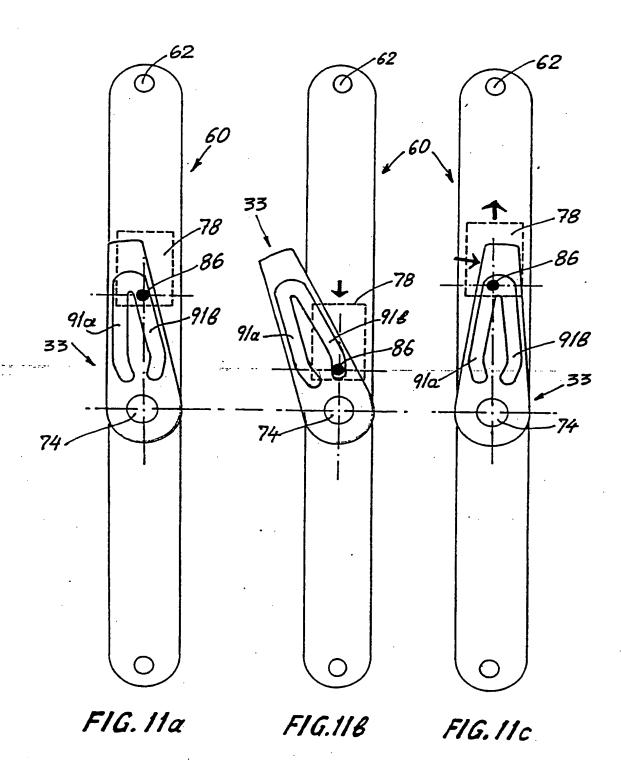




Replacement Sheets 10/018,998









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NOV 17 2008

OFFICE OF PETITIONS

PROPERTY OF: DOWELL & DOWELL, P. C., Suite 406, 2111 Eisenhower Ave., Alexandria, VA 22314, Telephone (703) 415-2555

In re U.S. Patent Application of: Leontaridis, A.

Examiner: L. Gall

Serial No.: 10/018,998 Filed: 12/26/2001

Title:

LOCK ASSEMBLY FOR SLIDING

Atty. Docket No.: LEONAPP

DOOR/WINDOW PANELS

THE U.S. PATENT AND TRADEMARK OFFICE STAMP INDICATES DATE OF FILING OF THE FOLLOWING MARKED DOCUMENTS

(X) Petition to Revive due to unintentional abandonment

(X) 9 sheets of Replacement drawings (figs 1-11c)

(X) Payment of Issue and Publication fees

(X) Check for \$1750.00 for revival, issue and publication fees

